



BOARD OF ZONING APPEALS

CASE SUMMARY FOR SPECIAL EXCEPTION

1818 McFadden Street

June 1, 2023 at 4:00 P.M.
City Council Chambers, 1737 Main Street, 3rd Floor
Columbia, South Carolina

Case Number:	2023-0013-SE
Subject Property:	1818 McFadden Street (TMS# 11511-17-09)
Zoning District:	RSF-2 (Residential Single Family – Medium Lot District)
Applicant:	John Mender, Jr.
Property Owner:	John & Viola Mender

Requested Action:	Special exception to permit a barbershop as a home occupation
Applicable Sections of Zoning Ordinance:	<p>§17-4.2(b)(4) Barbershops as home occupations require a special exception permit</p> <p>§17-2.5(e)(4) Standard criteria for special exceptions</p>
Case History:	N/A
Staff Comments:	<p>The subject property is +/- 5,920 sqft and contains a +/- 2,577 sqft single family residence.</p> <p>The applicant is requesting a special exception to permit a one chair barbershop within a portion of the residence. The applicant is proposing the barbershop will be operated by appointment only and close at 7 pm.</p> <p>Should the Board approve this request, the following items shall be conditions of approval:</p> <ul style="list-style-type: none">a. Beauty salons and barbershops as home occupations require a Special Exception Permit, in accordance with Sec. 17-2.5(e), Special Exception Permit.b. The principal person conducting the home occupation shall be a full-time resident of the dwelling unit, and the occupation shall employ not more than two people on the premises who are not full-time residents of the dwelling unit.c. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants.d. Not more than 25 percent of the floor area of the dwelling unit or 1,000 square feet, whichever is less, shall be used in the conduct of the home occupation.e. There shall be no sign or change in the residential character or external appearance of the dwelling unit, its associated structures, or its principal residential use.f. The home occupation shall be conducted entirely within the principal structure or within a fully enclosed, lawfully approved structure which is accessory to the residential use, provided:<ul style="list-style-type: none">1. A home occupation is not allowed in an accessory dwelling unit;2. Any portion of an accessory structure that is used to provide a required parking space shall not be used for a home occupation; and

3. Where a lot is nonconforming as to the number of required parking spaces, an accessory structure or a portion thereof, shall not be used as a home occupation where that accessory structure or portion thereof, could be used to provide the required number of parking spaces.
- g. Goods shall not be offered for purchase on the premises, except those goods incidental to the provision of a service in connection with the home occupation (e.g., a hairdresser may sell shampoo).
- h. Any vehicle used to conduct the home occupation shall be of a size that does not disrupt the quiet nature and visual quality of the neighborhood. A maximum of two vehicles used to conduct the home occupation may be stored on the premises or on a public street within 1,200 feet of the premises. Any need for additional parking generated by the conduct of the home occupation shall be met off the street and other than in a required front yard, in accordance with Sec. 17-5.2, Off-Street Parking, Bicycle Parking.
- i. The home occupation shall not involve significantly greater volumes or frequencies of deliveries or shipments, vehicular traffic, or pedestrian traffic than normally expected in a residential neighborhood.
- j. No equipment or process shall be used in the home occupation which creates noise, vibration, glare, fumes, odors, or electrical or communications interference, including visual or audible interference with radio or television reception, that can be detected by the normal senses off the lot if the occupation is conducted in a single-family detached residence, or outside the dwelling unit if conducted in other than a single-family detached residence.
- k. No outdoor storage or display of goods shall be allowed in connection with any home occupation.
- l. The manufacture, maintenance, or repair of any type of motorized vehicle shall not be permitted as a home occupation.

Any documents submitted by persons expressing support or concern about this application are attached hereto and made part of the record of the public hearing.

Zoning Map

Special Exception 2023-0013-SE

1818 McFadden Street
TMS# 11511-17-09



Department of Planning &
Development Services

Legend



Zoning Districts

CAC	MC
DAC	NAC
EC	O-I
GC	PD
HI	RAC
INS-FJ	RM-1
INS-GEN	RM-2
INS-ZOO	RSF-3
INS-T/U	RSF-1
INS-U/M	RSF-2
LL-R	RD-MV
LI	RD
MU-1	T/C
MU-2	★ City Landmark

1 inch = 100 feet

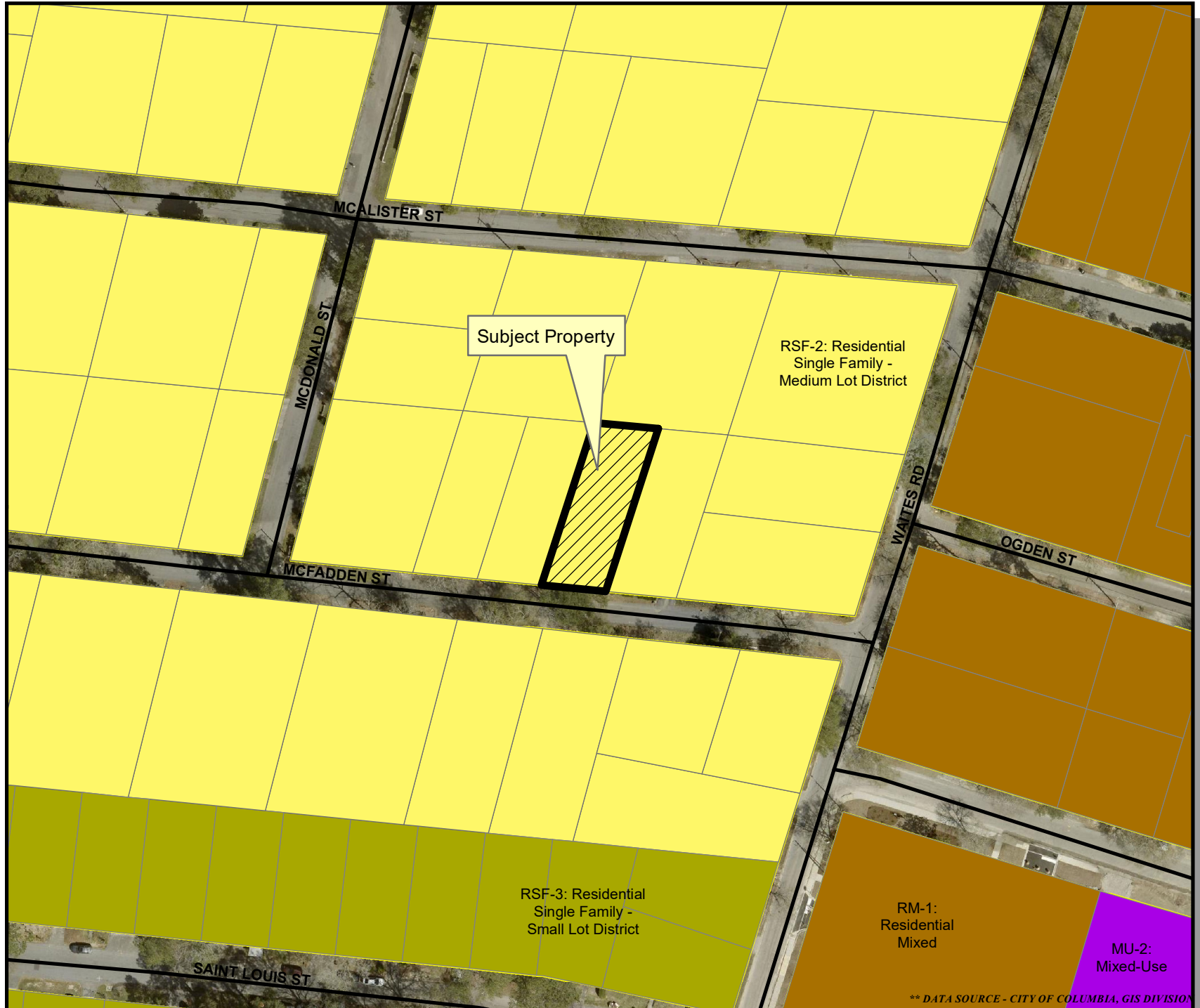
ORIGINAL PREPARATION/DATE:

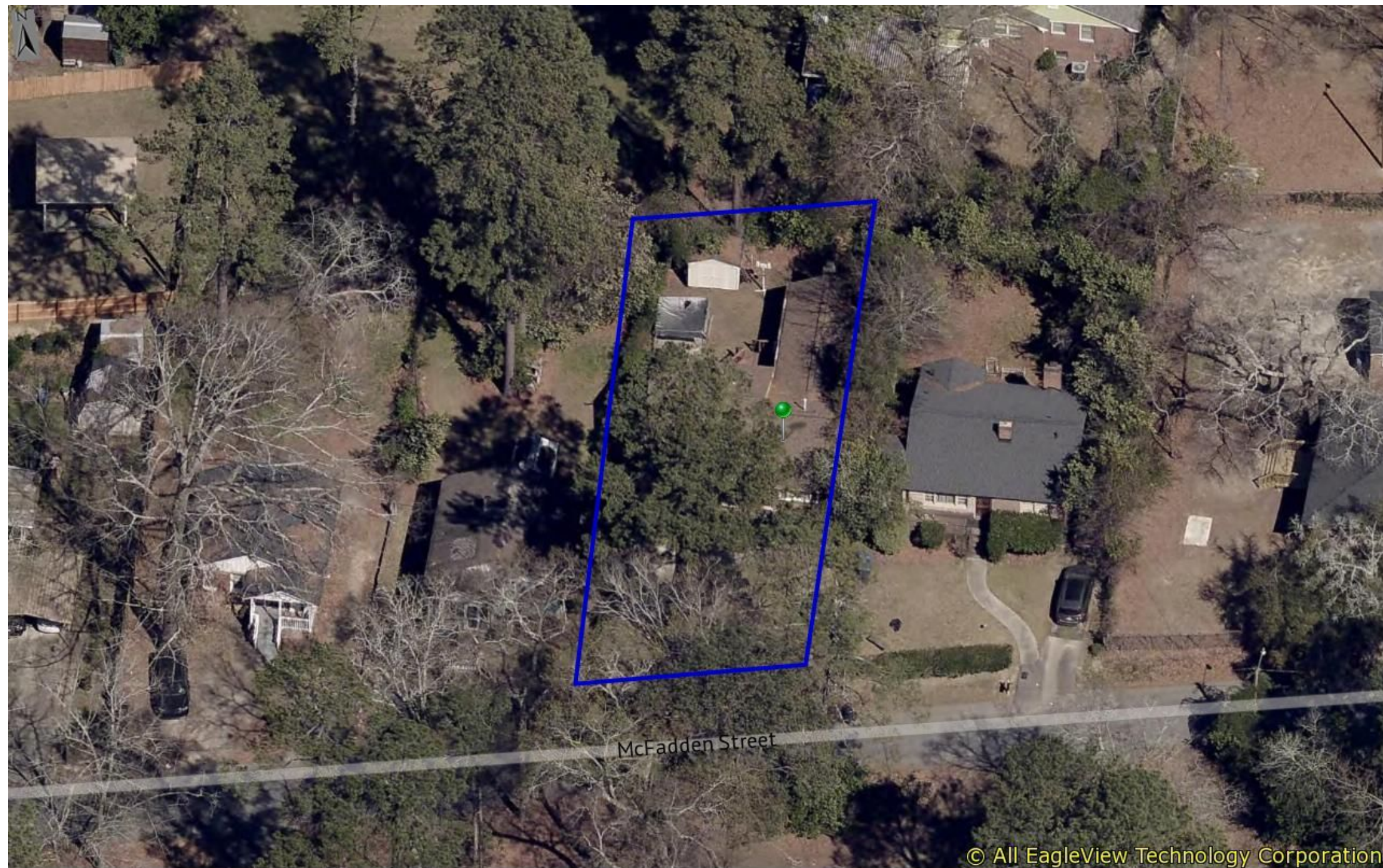
This map was prepared by:

Erica Jaen
for
June 1, 2023
BoZA Meeting

DISCLAIMER:

The City of Columbia Department of Planning and Development Services data represented on this map or plan is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Columbia makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.







Special Exception

Application and Checklist

A use designated as a special exception in a particular zoning district is a use that may be appropriate in the district, but because of its nature, extent, and external effects, requires special consideration of its location, design, and methods of operation before it can be deemed appropriate in the district and compatible with its surroundings.

Checklist for All Applications

A complete special exception application shall include the following information. Please initial to signify that the requested information has been provided or is not necessary.

	Applicant Initials	Staff Initials
A completed and signed Application, Checklist, and Letter of Agency (if applicable)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Supplemental documents/plans to demonstrate location, design, methods of operation, etc...	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Payment of the required fee	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Applications are accepted:

Monday - Friday from 8:30 AM to 4:00 PM

An application properly filed with Zoning by 4:00 PM on the published application deadline (please refer to official BoZA Calendar) will be reviewed by the Board of Zoning Appeals at a public hearing to be held on the first Thursday of the month.

**Disclaimer: If the applicant fails to provide sufficient materials needed to conduct a complete zoning plan review, the applicant acknowledges that the proposed development may be subject to additional variances/special exceptions.*

**An approval by the Board of Zoning Appeals in no way overrides other City development regulations (i.e. land development, building code, fire, stormwater)*

<i>For staff use only</i>	
Date received (M/D/Y): <u>5 / 2 / 23</u>	By: <u>KP</u>



Special Exception

Application and Checklist

1. Applicant Information

Name John E. Mender Jr	
Company (if applicable)	
Address (street, city, state, zip) 1818 McFadden St. Columbia SC 29204	
Phone 803-800-8214	Email johnmenderjr@gmail.com

2. Property Information

Address 1818 McFadden St. Columbia SC 29204		
Tax Map Reference Number(s) 11511-17-09		
Current use Residence	Proposed use Barbershop in Residence	
Current zoning RST2	Number of lots or units 1	Total square feet 5,920

3. Property Ownership

Does the applicant own the property? ☐ Yes ☒ No

If the applicant does not own the property, complete the **Letter of Agency** for each property owner that authorizes the applicant to submit this application on the property owner's behalf.

4. Property Status

Pursuant to S.C. Code § 6-29-1145, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this permit?

☐ Yes ☒ No

5. Value of Project

Valuation	\$ 0
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6. Proposed Use

Please identify the principal use proposed to be established (see Table 17-4.2(B)(4): Principal Use Table for Base Zoning Districts)

Single 1 Chair Barbershop In a Single Unit
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Special Exception

Application and Checklist

7. Project Description

Provide a brief description of the project.

Open 1 chair Barbershop with 1 client
In a separate Part / single unit
per appointment and Not open Pass the time of
7pm

8. Criteria for Special Exception

A special exception may only be approved if the Board of Zoning Appeals determines that all of the standards in Sec. 17-2.5(e)(4) are met. On the following page, describe how the proposed use complies with each of these standards below. (Continue on separate sheet of paper if necessary)

1. The proposed special exception complies with all applicable zoning district-specific standards in Article 3: Zoning Districts;
2. The proposed special exception complies with all applicable use-specific standard in Article 4: Use Regulations;
3. The proposed special exception will not have a substantial adverse impact on vehicular traffic or vehicular and pedestrian safety;
4. Adequate provisions are made for parking and for loading and unloading;
5. The proposed special exception will not have a substantial adverse impact on adjoining properties in terms of environmental factors such as noise, lights, glare, vibration, fumes, odors, obstruction of air or light, and litter;
6. The proposed special exception will not have a substantial adverse impact on the aesthetic character of the area, to include a review of the orientation and spacing of buildings;
7. The proposed special exception will not have a substantial adverse impact on public safety or create nuisance conditions detrimental to the public interest or conditions likely to result in increased law enforcement response;
8. The establishment of the proposed special exception does not create a concentration or proliferation of the same or similar types of special exception use, *which concentration may be detrimental* to the development or redevelopment of the area in which the special exception use is proposed to be developed;
9. The proposed special exception is consistent with the character and intent of the underlying zoning district as indicated in the zoning district purpose statement, and with any applicable overlay zoning district or adopted plan goals and requirements;
10. The proposed special exception is appropriate for its location and compatible with the permitted uses adjacent to and in the vicinity of the property;
11. The proposed special exception is compatible with the general character of the district in which it is proposed; and
12. The proposed special exception will not adversely affect the public interest.



Special Exception

Application and Checklist

1. The Special Exception Complies, and for zoning to a one chair shop with appt.
2. In all applicable ways by having everything in the correct and business manner to operate
3. In the zoning area I am in there is safe traffic and not real busy that it will not interfere with anything
4. There is safe and secure parking and proper parking as 1 customer per appointment will come and there will not be a overflow
5. The area is very quiet, and very respectable
6. The area will not have a impact on other business and building in the area.
7. The impact of safety is only concern for people and there is City Police that patrol the area to keep it safe and secure.
8. My establishment will not be a concern to the development or redevelopment of the neighborhood and other properties
9. I will plan to follow the zoning rules and requirements
10. The business is appropriate for its location and will not be a interference toward my neighbors and the neighborhood.
11. The establishment is compatible with general guidelines of the district.
12. This will not ^{harm} or ^a affect the public interest

9. Signature

Signature of Applicant

Print Name

Schn E. Mender Jr.

Date

5/1/23



Letter of Agency

Application Supplement

TO: Planning and Development Services, City of Columbia

I, the undersigned property owner, do hereby attest that I am the person that holds, or I am authorized on behalf of the party that holds, fee simple interest in the following parcel(s):

Common Street Address
1818 McFadden St.
Tax Map Reference Numbers
11511-17-09

Further, I hereby authorize the persons and/or entities listed as AUTHORIZED AGENT(S) below to act on my behalf for the purpose of submitting documents, amending documents, meeting with staff, attending public meetings and hearings, and as otherwise may be necessary and proper to fulfill the required steps to request the following:

1. Variance, Special Exception, and/or Administrative Appeal (Board of Zoning Appeals)
2. Zoning Map Amendment (Planning Commission and City Council, if applicable)
3. Site Plan Review (Planning Commission or D/DRC)
4. Design Review (D/DRC)
5. Minor Subdivision (Staff)
6. Major Subdivision (Planning Commission)
7. Encroachment (Staff and City Council, if applicable)
8. Street Naming/Renaming (Planning Commission)

*****Please strike-through and initial any of the above-listed steps that do not fall under the scope of this Letter of Agency***



[signatures on following page]



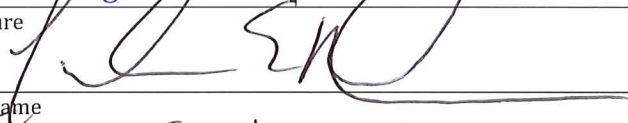
Letter of Agency

Application Supplement

Property Owner

Signature 	Date 04/25/23
Print Name of Property Owner John E. Mender & Viola T. Mender, Sr.	
Address (street, city, name, zip) 1818 McFadden St. Columbia, S.C. 29204	
Email of Property Owner jame190646@gmail.com	Phone 803-799-0521
Signature of Witness 	Date 4/25/23
Print Name of Witness Fredine McNeal	

Authorized Agent

Signature 	Date 5/11/23
Print Name John E. Mender Jr.	
Address (street, city, name, zip) 1818 McFadden St. Columbia, SC 29204	
Email of Authorized Agent johnmenderjr@gmail.com	Phone 803-800-8214